

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Michael B. Zemel

Appl. No. 10/017,568

A.

B. Confirmation No. 9941

Filed: December 14, 2001

For : MATERIALS AND METHODS FOR  
THE TREATMENT OR PREVENTION  
OF OBESITY

Art Unit : 1616

Examiner: WEBMAN, Edward J.

Atty. Docket No. 31894-192402

Customer No.

**26694**

PATENT TRADEMARK OFFICE

**DR. MICHAEL B. ZEMEL DECLARATION UNDER 37 C.F.R § 1.132**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Sir:

I, Michael B. Zemel, Ph.D., declare the following, based on my own knowledge, information, and belief:

1. That I am a co-inventor of subject matter described and claimed in the above-identified U.S. Patent Application.
2. Hang Shi and Paula Carney (formally Paul Zemel) are also inventors of the subject matter claimed in the above-identified U.S. Patent Application.
3. To my knowledge, the other authors, Betty Greer and Douglas Dirienzo, of "Regulation of Adiposity by Dietary Calcium", The FASEB Journal, volume 14, pages 1132-1138 (June

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Declaration of Dr. Michael B. Zemel under 37 C.F.R. § 1.132

2000), are not inventors of the claimed subject matter. To the extent the reference includes any claimed subject matter, such subject matter disclosed in this reference was derived from, originated with, or was obtained from the inventors rather than the other authors of these references.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 7 day of September, 2007

  
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Michael B. Zemel, Ph.D.

dc2/890392